

Appl. No. : 09/804,480
Filed : March 12, 2001

REMARKS

With the present amendment, Claims 1 and 7 are amended and Claim 6 is cancelled. Claims 1-5 and 7-8 remain pending.

Summary of the Substance of the Examiner Interview

The applicant thanks the Examiner for the interview of September 26, 2006. During the interview, the claim limitations regarding spatial field uniformity were discussed with respect to Figures 7 and 8 of the specification. The claim language of Claims 1 and 7 has been amended to track the discussion in the specification more closely.

The meaning of "controlled" change in transmembrane potential was also discussed. Claim 1 has also been amended to further define this feature of Claim 1. During the interview this language was discussed with reference to Figures 4 and 10-13 of the specification.

Comments on Claim Amendments

As described in the specification on pages 95-98 and as illustrated in Figures 7 and 8 certain geometries of electrode configurations and well designs are preferable for achieving uniform electric fields. An area of observation is selected within each well design and electrode configuration illustrated in Figures 7 and 8. Within the area of observation, the mean intensity is computationally modeled. Figures 7A, 7B, 8A, 8B and 8C are shaded to indicate different field intensities with relation to the mean field intensity. In Figure 7A, the electric field in the area of observation is within $\pm 10\%$ of the mean field intensity as recited in Claim 1. In describing Figure 7B on page 96 of the specification, the difference between the maximum and minimum fields is 87% of the mean. This indicates a variation in intensity of $\pm 43.5\%$ of the mean field intensity. In Figure 8A, the electric field in the area of observation is within $\pm 1\%$ of the mean field intensity as recited in Claim 7.

The Examiner is referred to Figures 4 and 10-13 for support for the amended language regarding controlled change in transmembrane potential.

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The applicants respectfully submit that such a controlled change has not been produced or observed with the recited method prior to the present invention, and that the pending claims are in condition for allowance.

CONCLUSION

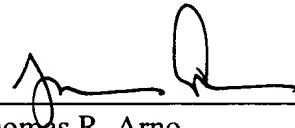
In view of the above, Applicants respectfully maintain that claims are patentable and request that they be passed to issue. Applicants invite the Examiner to call the undersigned if any remaining issues may be resolved by telephone.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: 

Thomas R. Arno
Registration No. 40,490
Attorney of Record
Customer No. 20,995
(619) 235-8550

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